



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

File NR G4-35576  
WR Doc ID 5356381

## State of Washington WATER RIGHT PERMIT

PRIORITY DATE  
7/24/2012

WATER RIGHT NUMBER  
G4-35576

MAILING ADDRESS  
ARTHUR ESHE  
321 RANGE VIEW ROAD  
CLE ELUM WA 98926

SITE ADDRESS (IF DIFFERENT)  
00941 OLD CEDARS ROAD  
CLE ELUM WA 98926

### Quantity Authorized for Withdrawal or Diversion

WITHDRAWAL OR DIVERSION RATE  
7.14

UNITS  
Unit

ANNUAL QUANTITY (AF/YR)  
0.414

### Purpose

PURPOSE	WITHDRAWAL OR DIVERSION RATE			ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE	UNITS	ADDITIVE	NON-ADDITIVE	
Domestic Single	7.14		GPM	0.392		01/01 - 12/31
Irrigation		7.14	GPM	0.022		06/01 - 09/30

### REMARKS

A maximum of 7.14 gallons per minute (gpm), 0.414 acre-feet per year (af/yr) for 1 residence (0.392 af/yr for year-round continuous single domestic supply and 0.022 af/yr for irrigation of lawn and garden up to 0.011 acre between June 1 and September 30 annually). The combined instantaneous quantity from the well identified by Ecology's unique Well Tag # AKW-634 shall not exceed 50 gallons per minute (gpm) based upon 7.14 gpm for each connection, up to a 7-connection maximum. Final beneficial use calculations for each connection either independently or combined shall be determined during the investigation at the Proof of Appropriation stage.

ADDITIVE	IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION	
	NON-ADDITIVE		WATER SYSTEM ID	CONNECTIONS
0.011			AB764	7

### Source Location

COUNTY	WATERBODY		TRIBUTARY TO				WATER RESOURCE INVENTORY AREA	
KITTITAS	GROUNDWATER						39-UPPER YAKIMA	
SOURCE FACILITY/DEVICE	PARCEL	WELL TAG	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
AKW634	20869	AKW634	20N	14E	19	NWNE	47.21667	-121.14240
Datum: NAD83/WGS84								

**FILE COPY**



**Place of Use (See Attached Map)**

**PARCELS (NOT LISTED FOR SERVICE AREAS)**

953673

**LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE**

Lot 8B of OLD CEDARS SHORT PLAT 07-24, Section 19, T. 20 N., R. 14 E.W.M., Kittitas County, State of Washington.

**Proposed Works**

The subject well was drilled in 2005 (Ecology unique Well ID # AKW-643) to a depth of 70 feet with a 6-inch casing. The water distribution system includes three 119-gallon capacity pressure tanks, a chlorination system, and a 2,400-gallon capacity storage tank. The mainlines are 1.5-foot PVC, extending 1,150 feet to individual meters and the 7 residences. The well is metered.

The Toby Johnson Water System is a Department of Health (DOH) - approved Group B community, private water system and will be regulated by DOH. A total of 7 connections are calculated for this water system; however, DOH has no current source information.

Domestic wastewater will be discharged to an on-site septic system, pursuant to the Declaration of Covenant signed July 22, 2012, by the applicant.

**Development Schedule**

**BEGIN PROJECT**

Begun

**COMPLETE PROJECT**

October 31, 2015

**PUT WATER TO FULL USE**

October 31, 2017

**Measurement of Water Use**

How often must water use be measured?

Monthly

How often must water use data be reported to Ecology?

Upon Request by Ecology

What volume should be reported?

Total Annual Volume

What rate should be reported?

Annual Peak Rate of Withdrawal (gpm or cfs)

**Provisions**

**A. Wells, Well Logs and Well Construction Standards**

1. The subject well and the right to use water from it is restricted to and authorized for the upper, unconfined alluvial sediment aquifer.
2. All wells constructed in the state shall meet the construction requirements of WAC 173-160 titled "Minimum Standards for the Construction and Maintenance of Wells" and RCW 18.104 titled "Water Well Construction." Any well which is unusable, abandoned, or whose use has been permanently discontinued, or which is in such disrepair that its continued use is impractical or is an environmental, safety or public health hazard shall be decommissioned.
3. All wells shall be tagged with a Department of Ecology unique well identification number. If you have an existing well and it does not have a tag, please contact the well-drilling coordinator at the regional Department of Ecology office issuing this decision. This tag shall remain attached to the well. If you are required to submit water measuring reports, reference this tag number.
4. Installation and maintenance of an access port as described in WAC 173-160- 291(3) is required.



**B. Measurements, Monitoring, Metering and Reporting**

1. An approved measuring device must be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use," WAC 173-173, which describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.
2. Recorded water use data shall be submitted via the Internet. To set up an Internet reporting account, contact the Central Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Central Regional Office for forms to submit your water use data.
3. WAC 173-173 describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

**C. Water Level Measurements**

1. In order to maintain a sustainable supply of water and ensure that your water source is not impaired by future withdrawals, static water levels **should** be measured and recorded monthly using a consistent methodology. Static water level is defined as the water level in a well when no pumping is occurring and the water level has fully recovered from previous pumping. Static water level data should include the following elements:
  - Unique Well ID Number.
  - Measurement date and time.
  - Measurement method (air line, electric tape, pressure transducer, etc.).
  - Measurement accuracy (to nearest foot, tenth of foot, etc.).
  - Description of the measuring point (top of casing, sounding tube, etc.).
  - Measuring point elevation above or below land surface to the nearest 0.1 foot.
  - Land surface elevation at the well head to the nearest foot.
  - Static water level below measuring point to the nearest 0.1 foot.

**D. Easement and Right-of-Way**

1. The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right authorization by this department does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

**E. Water Use Efficiency**

1. The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

**F. Proof of Appropriation**

1. The water right holder shall file the notice of Proof of Appropriation of water (under which the Certificate of Water Right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the Permit. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.



**G. Schedule and Inspections**

1. Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

**H. General Conditions**

1. This authorization shall in no way excuse the permittee from compliance with any federal, state, or local statutes, ordinances, Permits, or regulations including those required and administered by other programs of the Department of Ecology.
2. You (applicant) will pay the sum of \$57.02, which represents a proportionate amount of the payment due and owing to the United States for storage and deliver of water under Paragraph 15(a) of *Water Storage and Exchange Contract No 09XX101700*, between the Bureau of Reclamation and the State of Washington Department of Ecology, Yakima Project, Washington, dated January 29, 2009.<sup>1</sup> The consumptive use of 0.072 acre-feet from September 1 through March 1 is subject to the terms and conditions in the *Water Storage and Exchange Contract No. 09XX101700*.
3. You (applicant) will record with the Kittitas County Auditor a property covenant as required under WAC 173-539A-050 that restricts or prohibits trees or shrubs over a septic drain field on Parcel 953673.
4. You (applicant) will record with the Kittitas County Auditor an appropriate conveyance instrument under which the applicant obtains an interest in Trust Water Right CS4-01676sb5d@3 to offset consumptive use.

**I. This Permit Subject to Cancellation**

1. This Permit shall be subject to cancellation should the permittee fail to comply with the above development schedule and/or to give notice to the Department of Ecology on forms provided by the Department documenting such compliance.

Given under my hand and the seal of this office at Yakima, Washington this 21 day of June, 2013.

Department of Ecology

OK MP

by Mark Kemner  
Mark Kemner, LHG  
Section Manager

<sup>1</sup> Long-Term Water Storage and Exchange Agreement between the U.S. and the State of Washington, Department of Ecology, (Contract No. 09XX101700), [http://www.ecy.wa.gov/programs/wr/cro/images/pdfs/exchangecontract\\_012909.pdf](http://www.ecy.wa.gov/programs/wr/cro/images/pdfs/exchangecontract_012909.pdf), accessed on January 23, 2013.